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APPLICATION OF

B & J ENTERPRISES, L.C.

CASE NO. PUE990616

**For a certificate of public
convenience and necessity to
operate a sewerage utility**

HEARING EXAMINER'S RULING

June 1, 2000

By Commission order dated February 15, 2000, and Hearing Examiner's Ruling dated March 10, 2000, a hearing date and a procedural schedule for the filing of pleadings, prepared testimony and exhibits, and the publication of notice were established.

On May 26, 2000, the Commission Staff, by counsel, moved to continue the procedural schedule. In support of the motion, counsel states that a resident of Blacksburg Country Club Estates advised the Office of General Counsel that B & J Enterprises, L.C. ("the Company") had failed to make its prepared testimony available for public review by April 7, 2000, as required by the Commission's February 15, 2000, Procedural Order. Staff was further advised that the Company failed to effect notice of its application on its availability customers. Staff requests that the June 6, 2000, hearing date be canceled; Protestants be given additional time in which to conduct discovery and prefile testimony; and this matter be continued generally.

I find the Staff's Motion to Continue the Procedural Schedule should be granted in part. Accordingly,

IT IS DIRECTED:

(1) That the public hearing currently scheduled for June 6, 2000, is hereby continued until 10:00 a.m. on July 31, 2000, in the General District Court, 300 South Main Street, Blacksburg, Virginia;

(2) That, on or before June 21, 2000, the Company shall file with the Commission proof that it provided notice of its application and the scheduled hearing date to its availability customers;

(3) That the Company shall forthwith mail a copy of this Ruling by first-class mail, postage prepaid, to the Chairman of the Board of Supervisors of Montgomery County, Virginia;

(4) That, on or before July 13, 2000, each Protestant shall file an original and fifteen (15) copies of any additional prepared testimony and exhibits the Protestant intends to present at the public hearing, and shall simultaneously mail a copy to the Company; and

(5) That, on or before July 13, 2000, the Commission Staff may file an original and fifteen (15) copies of any additional prepared testimony and exhibits the Staff intends to present at the public hearing, and shall simultaneously mail a copy to the Company and each Protestant; and

(6) That, on or before July 24, 2000, the Company shall file an original and fifteen (15) copies of all testimony it expects to introduce in rebuttal to all direct prefiled testimony and exhibits.

Michael D. Thomas
Hearing Examiner